



3751
PATENT 3734

Case Docket No. CTLIMM.001CP1

Date: April 13, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kundig et al.

App. No. : 09/380,534

Filed : September 1, 1999

For : A METHOD OF INDUCING
A CTL RESPONSE

Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

April 13, 2000

(Date)

Dale C. Hunt, Reg. No. 41,857

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Power of Attorney Form along with copies of an Assignment in two pages, a Change of Name (Domestication) in three pages, and a Merger in four pages.
- (X) Return prepaid postcard.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410. A duplicate copy of this sheet is enclosed.

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TC 3700 MAIL ROOM

Dale C. Hunt

Registration No. 41,857

Attorney of Record

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CTLIMM.001CP1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten: #11/15/00

Applicant : Kundig et al.)
App. No. : 09/380,534)
Filed : September 1, 1999)
For : A METHOD OF INDUCING A CTL)
RESPONSE)
Examiner : Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

RECEIVED
APR 20 2000
TC 3700 MAIL ROOM

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

App. No. : 09/580,534
Filed : September 1, 1999


revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

CTL IMMUNOTHERAPIES CORP.

Dated: December 29/99

By:


John J.L. Simard
Chief Executive Officer
9330 De Soto Avenue
Chatsworth, CA 91311

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ASSIGNMENT

Whereas,

Thomas M. Kundig residing at Schwamendingen Strasse #79, CH-8050 Zurich, Switzerland; and

John L. Simard residing at 11767 Seminole Circle, Northridge, CA 91326, USA; (hereinafter referred to individually and collectively as "Inventor") have made an invention relating to certain new and useful improvements in:

A METHOD OF INDUCING A CTL RESPONSE

and executed therefor an Application for Letters Patent of the United States and

☐ having an oath or declaration executed on even date herewith;

☒ bearing Serial No. 09/380,534 and filed on 09/01/99

☐ issued as a Patent No. ____ on ____

Whereas, CTL ImmunoTherapies Corporation (hereinafter "Assignee"), a corporation of Canada, and having a principal place of business at One First Canadian Place, Suite 5100, Toronto, Ontario M5X 1K2, Canada, is desirous of acquiring the entire right, title, and interest in and to said invention, said Application, and the Letters Patent to be obtained therefor:

Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to Inventor in hand paid, the receipt and sufficiency whereof are hereby acknowledged, Inventor has sold, assigned, and set over and by these presents does hereby sell, assign, and set over unto Assignee and Assignee's legal representatives, ~~successors and assigns, the entire right, title, and interest in and to said invention, said~~ Application and any other application, domestic or foreign, that claims said invention, as well as any Letters Patent, domestic or foreign, that may or shall issue thereon; and Inventor does hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned Assignee agreeably with the terms of this Assignment.

The terms "Application" and "Application for Letters Patent" as used herein include both provisional and non-provisional applications.

Inventor hereby authorizes the above-mentioned Assignee or its legal representative to insert in this instrument the filing date and serial number of said Application or any other information that may be necessary or desirable in order to

comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, Inventor conveys to Assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the United States application (or other application if any there be) in priority to other applications; and **Inventor does hereby covenant** and agree with Assignee that Inventor will not execute any writing or do any act whatsoever conflicting with these presents, and that Inventor will at any time upon request, without further or additional consideration, but at the expense of Assignee, execute such additional assignments and other writings and do such additional acts as Assignee may deem necessary or desirable to perfect Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, continuation-in-part, renewal, reexamined, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind and inure to the benefit of the assigns and legal representatives of both parties.

Date: July 26, 1999

By: T. Kundig
Thomas M. Kundig

Date: June 2/99

By: [Signature]
John L. Simard

COPY

Domestication

COPY

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF DOMESTICATION OF NON U.S. INCORPORATION OF "CTLI ACQUISITION CORP.", FILED IN THIS OFFICE THE TWELFTH DAY OF AUGUST, A.D. 1999, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

Edward J. Freel, Secretary of State

3082594 8100D

991336490

AUTHENTICATION: 9919381

DATE: 08-12-99

COPY

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 08/12/1999
991336490 - 3082594

CERTIFICATE OF DOMESTICATION

OF

CTL ImmunoTherapies Corp.

Pursuant to Section 388 of the
Delaware General Corporation Law

This document certifies the following:

1. CTL ImmunoTherapies Corp. was incorporated on July 7, 1997 in the province of Ontario, Canada.
2. CTL ImmunoTherapies Corp. is the name of the corporation immediately prior to the filing of this Certificate of Domestication.
3. CTLI Acquisition Corp. is the name of the corporation as set forth in its Certificate of Incorporation filed in Delaware.
4. The principal place of business of CTL ImmunoTherapies Corp. immediately prior to the filing of this Certificate of Domestication is 9330 DeSoto Avenue, Chatsworth, California 91311.

CTL ImmunoTherapies Corp.


John Simard, President

COPY

Merger

COPY

State of Delaware
Office of the Secretary of State PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CTL IMMUNOTHERAPIES CORP.", A DELAWARE CORPORATION,
WITH AND INTO "CTLI ACQUISITION CORP." UNDER THE NAME OF
"CTL IMMUNOTHERAPIES CORP.", A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED
AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF OCTOBER, A.D.
1999, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE
KENT COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

Edward J. Freel, Secretary of State

3082594 8100M
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AUTHENTICATION: 0052534
DATE: 10-29-99

COPY

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 10/29/1999
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**CERTIFICATE OF MERGER
OF
CTL IMMUNOTHERAPIES CORP.
WITH AND INTO
CTL ACQUISITION CORP.**

**Pursuant to Section 251 of the
General Corporation Law of the State of Delaware**

CTL Acquisition Corp., a Delaware corporation ("Surviving Corporation"), does hereby certify to the following facts relating to the merger (the "Merger") of CTL ImmunoTherapies Corp., a Delaware corporation ("Disappearing Corporation"), with and into Surviving Corporation, with Surviving Corporation remaining as the surviving corporation of the Merger:

FIRST: Surviving Corporation and Disappearing Corporation both are Delaware corporations incorporated pursuant to the General Corporation Law of the State of Delaware. Surviving Corporation and Disappearing Corporation are the constituent corporations in the Merger.

SECOND: A Plan and Agreement of Merger between Surviving Corporation and Disappearing Corporation setting forth the terms and conditions of the Merger has been approved, adopted, certified, executed and acknowledged in accordance with the provisions of Section 251 of the General Corporation Law of the State of Delaware.

THIRD: The Surviving Corporation shall be the surviving corporation in the Merger.

FOURTH: Upon the effectiveness of the Merger, the Certificate of Incorporation of the Surviving Corporation shall be the Certificate of Incorporation of the surviving corporation except that it shall be amended by striking Article I in its entirety and replacing therefor:

"Article I: The name of the corporation is CTL ImmunoTherapies Corp."

FIFTH: The executed Plan and Agreement of Merger is on file at the principal place of business of the Surviving Corporation, located at 9330 DeSoto Avenue, Chatsworth, California.

SIXTH: A copy of the executed Plan and Agreement of Merger will be furnished by Surviving Corporation, on request and without cost, to any stockholder of any constituent corporation of the Merger.

COPY

IN WITNESS WHEREOF, Surviving Corporation has caused this Certificate to be duly executed as of October 21, 1999.

CTLI ACQUISITION CORP.

By: 

John Simard

President and Chief Executive Officer